

it was not sterile and was not suitable for hospital, surgical, or nursing purposes.

It was alleged to be misbranded in that the statements quoted above, and the design of a nurse on both labels, were false and misleading when applied to an article which was not sterile.

On November 15, 1939, the Acme Cotton Products Co., Inc., having appeared as claimant and having admitted the allegations of the libels, and the cases having been consolidated, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it be disposed of for any appropriate purpose other than for medical purposes or for conditions for which absorbent cotton is usually used.

GROVER B. HILL, *Acting Secretary of Agriculture.*

**30953. Misbranding of Saurinol. U. S. v. 5 Large and 3 Small Packages of Saurinol. Default decree of condemnation and destruction. (F. & D. No. 45511. Sample No. 56239-D.)**

The labeling of this product bore false and fraudulent curative and therapeutic claims and other misrepresentations.

On July 20, 1939, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 8 packages of Saurinol at Oakland, Calif.; alleging that the article had been shipped in interstate commerce on or about June 9, 1939, by Saurinol Distributors from Colorado Springs, Colo.; and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of medium boiling petroleum oil with a small proportion of quinine alkaloid.

It was alleged to be misbranded in that the statement on the label, "A Natural Oil," was false and misleading as applied to an article consisting essentially of medium boiling petroleum oil with a small proportion of quinine alkaloid. It was alleged to be misbranded further in that the following statements in the labeling were statements regarding its curative or therapeutic effects and were false and fraudulent: "For relief in sinus, hay fever, exposed cancer, varicose veins, pyorrhea, trench mouth, lacerations, ulcers, skin diseases \* \* \* sinus, hay fever, apply with atomizer, Varicose veins, skin trouble use oil and massage, Exposed cancer, ulcers, lacerations apply with gauze. Pyorrhea or trench mouth, rinse mouth."

On November 30, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

GROVER B. HILL, *Acting Secretary of Agriculture.*

**30954. Misbranding of Hain Col-Lax; alleged misbranding of Hain Kelp Tablets. U. S. v. Harold Hain (Hain Pure Food Co.). Judgment of guilty on counts charging misbranding of Col-Lax; not guilty on counts charging misbranding of Kelp Tablets. Fine, \$300. (F. & D. No. 40817. Sample Nos. 36735-C, 36736-C.)**

The labeling of the Col-Lax bore false and fraudulent curative and therapeutic claims and false and misleading representations regarding its ingredients. That of the Hain Kelp Tablets bore curative and therapeutic claims and other representations that were alleged to be false, fraudulent, and misleading.

On June 10, 1938, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Harold Hain, trading as the Hain Pure Food Co., Los Angeles, Calif., alleging shipment by said defendant on or about May 1 and August 7, 1937, from the State of California into the State of Ohio, of a quantity of Hain Col-Lax and of a quantity of Hain Kelp Tablets.

Analysis of the Col-Lax showed that it consisted essentially of ground psyllium, agar, and milk sugar. Microscopic examination showed the presence of the bran as well as the mucilaginous portion of the psyllium seed. Analysis of the Kelp Tablets showed that they consisted of powdered kelp.

Misbranding of the Col-Lax was alleged in that certain statements in the labeling represented that the article was free from herbs and drugs; that in preparing the psyllium for it the irritating substance, such as bran, was removed, leaving only the highly mucilaginous part; that it was an ideal laxative food, an extract of the mucilaginous, nonirritating part of the psyllium and that it contained no ingredients which were habit-forming or irritating, which statements were false and misleading in view of the composition of the article, as disclosed by analysis. Further misbranding of the Col-Lax was alleged in that